

REMARKS

Claims 1-9 are all the claims pending in the application.

I. Objection to the Drawings

The Examiner has objected to the drawings for the reasons set forth on page 2 of the Office Action. In particular, the Examiner asserts that the ends of the broken lines in the drawings should be designated by Arabic or Roman numerals. Applicant is submitting herewith replacement sheets for Figs. 2a-2c, 3a-3c, 4b, 4c, 6a-6c, 7a-7c, 8a-8c, 9a-9c, 10a-10c and 11a-11c which include Arabic numerals at the end of the broken lines. In addition, Applicant notes that a replacement sheet is being submitted for Fig. 4d, in which the text in the drawing has been removed. In view of the foregoing, Applicant kindly requests that the objection to the drawings be reconsidered and withdrawn.

II. Objections to the Specification

The Examiner has objected to the specification for the reasons set forth on page 3 of the Office Action. Applicant submits herewith a substitute specification and abstract which address the Examiner's objections and include various editorial amendments that have been made for grammatical and general readability purposes. No new matter has been added. Also enclosed is marked-up copy of the original specification and abstract showing the changes incorporated into the substitute specification and abstract.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the objection to the specification.

III. Objection to the Claims

The Examiner has objected to claims 1, 3 and 8 for the reasons set forth on page 3 of the Office Action. Applicant has amended these claims in a manner to overcome the Examiner's objections. Accordingly, Applicant respectfully requests that the objections to the claims be reconsidered and withdrawn.

IV. Claim Rejections under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 1-9 under 35 U.S.C. § 112, second paragraph as being indefinite.

Regarding claim 1, the Examiner asserts in the Office Action that the metes and bounds of the claim are unclear. Applicant submits that claim 1 has been amended herein such that one of ordinary skill in the art would clearly be able to ascertain the metes and bounds of the claim. Accordingly, Applicant respectfully requests that the rejection of claim 1 be reconsidered and withdrawn.

Regarding claims 2 and 4, the Examiner asserts that it is unclear from where the securing hook is pivotably supported, and from where the locking device is rotatably supported. Applicant respectfully submits, however, that such language is not required under 35 U.S.C. § 112, second paragraph. Applicant submits that the scope of the subject matter embraced by claims 2 and 4 is clear and that Applicant has not otherwise indicated that the invention is to be of a scope different from that defined in the claims. The mere absence of a limitation in a claim does not make a claim indefinite.

Regarding claim 2 and 4, it appears as though the Examiner is improperly equating breadth with indefiniteness. As explicitly explained in MPEP § 2173.04, however, the fact that a claim is broad does not necessitate a rejection for indefiniteness reasons. In non-chemical arts, a claim may generally be written as broadly as permitted by the prior art. In view of the foregoing, Applicant respectfully requests the rejection of claims 2 and 4 be reconsidered and withdrawn.

Regarding claim 7, Applicant notes that this claim has been amended so as to positively recite the feature of the pin. Accordingly, Applicant respectfully requests that the rejection of claim 7 be reconsidered and withdrawn.

In view of the foregoing comments, Applicant respectfully submits that one of ordinary skill in the art would clearly understand what is being claimed in claims 1-9 when read in light of the specification (see MPEP 2173.02). Accordingly, Applicant kindly requests that the rejection of claims 1-9 under 35 U.S.C. 112, second paragraph be reconsidered and withdrawn.

V. Claim Rejections under 35 U.S.C. § 102

A. The Examiner has rejected claims 1-6, 8 and 9 under 35 U.S.C. § 102(b) as being anticipated by EP 0 694 460 (“the ‘460 reference”).

Claim 1, as amended, recites that a locking device and a securing hook are arranged such that both the locking device and the securing hook are operable to act on a side extension arm of a vehicle, wherein the locking device is arranged in relation to the securing hook such that a release of the locking device leads to a release of the securing hook from an anchorage position.

Applicant respectfully submits that the '460 reference fails to disclose or suggest at least this feature of claim 1.

The '460 reference discloses a horizontal beam 1 which is displaceable in a housing 2 (see Figs. 2a-2c). When the beam 1 is not properly bolted in a closed position (i.e., when the beam 1 is not locked inside the housing 2), a rotatable lever 3 projects over the end of the beam 1, thereby acting as a signal that the beam 1 is not locked in the locked position (see Figs. 2c and 3c).

As shown in Fig. 3c of the '460 reference, when the beam 1 is extended outside of the housing 2, the lever 3 is fixed in the downward position (i.e., the signaling position) by a detent member 11 which engages an end portion 10 of the lever 3. By moving the beam 1 toward the housing 2, the detent member 11 engages a protrusion 12 on the housing, thereby releasing the end portion 10 of the lever 3 from the detent member (see Fig. 3b).

Upon release of the end portion 10 of the lever 3 from the detent member 11, a spring 8 acts so as to pivot the lever 3 upwardly due to the spring 8 (see Figs. 2b and 3b). When the lever 3 is rotated upwardly, a claw 4 on the lever 3 engages a round bar 5 on the housing 2 so as to fix the beam 1 in the housing 2 (see Figs. 2a-2c).

As noted above, claim 1 recites that the locking device is arranged in relation to the securing hook such that a release of the locking device leads to a release of the securing hook from an anchorage position.

In the Office Action, the Examiner takes the position that the end portion 10 of the lever 3 corresponds to a "locking device" and that the claw 4 corresponds to a "securing hook" (see

Office Action at page 6). Accordingly, the Examiner is alleging that a release of the end portion 10 of the lever 3 leads to a release of the claw 4 from an anchorage position. Applicant respectfully disagrees.

In particular, as discussed above, Applicant notes that the release of the end portion 10 of the lever 3 from the detent member 11 leads to the claw 4 being pivoted upwardly so as to engage the round bar 5, thereby securing the beam 1 in the housing 2. Thus, in the '460 reference, Applicant submits that the release of the end portion 10 of the lever 3 clearly does not lead to a release of the claw 4 from its anchorage position, but instead, the release of the end portion 10 directly results in the claw 4 being moved to its anchorage position (i.e., engaged with the round bar 5).

Thus, as the release of the end portion 10 of the lever 3 leads to the claw 4 being moved to its anchorage position, Applicant respectfully submits that the '460 reference does not disclose or suggest the feature of a locking device being arranged in relation to a securing hook such that a release of the locking device leads to a release of the securing hook from an anchorage position, as recited in claim 1.

In view of the foregoing, Applicant respectfully submits that claim 1 is patentable over the cited prior art, an indication of which is kindly requested. Claims 2-6, 8 and 9 depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

In addition, regarding claim 5, Applicant notes that this claim recites that the locking device is release by rotation of the locking device. Applicant respectfully submits that the '460 reference fails to disclose or suggest such a feature.

In particular, Applicant notes that the end portion 10 of the lever 3, which the Examiner has asserted corresponds to a locking device, is not released by rotation of the end portion 10. Instead, as clearly shown in Figs. 3b and 3c, the end portion 10 of the lever 3 is released from the detent member 11 by moving the beam 1 toward the housing 2 such that the protrusion 12 engages the detent member 11, thereby releasing the end portion 10 from the detent member 11.

Thus, as the end portion 10 of the lever 3 is not released by rotation of the end portion, Applicant respectfully submits that claim 5 is patentable over the '460 reference, an indication of which is kindly requested.

Further, regarding claim 6, Applicant notes that this claim recites that the release of the locking device is independent of a direction of rotation of the locking device. Applicant respectfully submits that the '460 reference also fails to disclose or suggest such a feature.

In particular, as noted above, the end portion 10 of the lever 3 does not rotate so as to release the end portion 10 from the detent member 11. Further, while the detent member 11 is pivoted upon its engagement with the protrusion 12 so as to release the end portion 10 of the lever 3, the release of the end portion 10 is clearly not independent of the direction of rotation of the detent member 11. In view of the foregoing, Applicant submits that claim 6 is patentable over the '460 reference, an indication of which is kindly requested.

Further, regarding claim 8, Applicant notes that this claim recites that the locking device is urged in a direction of a locking position by the spring. In support of this feature, the Examiner has pointed to col. 1 of the '460 reference which recites the phrase "spring action." Accordingly, the Examiner asserts that there must be a spring. Indeed, as discussed above,

Applicant notes that a spring 8 is provided which, upon release of the end portion 10 from the detent member 11, rotates the lever 3 in an upward position so as to have the claw 4 engage the round bar 5, thereby securing the beam 1 in the housing.

Thus, while the spring 8 is used to move the claw 4 to a locking position, the spring 8 is clearly not used to urge the end portion 10 of the lever 3 to engage the detent member 11.

Accordingly, Applicant respectfully submits that the '460 reference fails to disclose or suggest that the locking device is urged in a direction of the locking position by a spring, as recited in claim 8. Thus, Applicant submits that claim 8 is patentable over the '460 reference, an indication of which is kindly requested.

Further, regarding claim 9, Applicant notes that this claim recites that the securing hook partially bears against an eccentrically shaped portion of the locking device. In the Office Action, the Examiner asserts that the detent member 11 is an eccentrically shaped portion of the end portion 10 of the lever 3. Applicant respectfully disagrees.

In particular, as is clear from Figs. 3b and 3c, the detent member 10 is not a portion of the end portion 10 of the lever 3. Instead, these elements are clearly distinct and separate elements which are arranged so as to interact with one another, as discussed above. Accordingly, Applicant submits that claim 9 is patentable over the '460 reference, an indication of which is kindly requested.

B. The Examiner has rejected claims 1, 4 and 7 under 35 U.S.C. § 102(b) as being anticipated by Murphy (U.S. 4,943,181).

Claim 1, as amended, recites that a locking device and a securing hook are arranged such that both the locking device and the securing hook are operable to act on a side extension arm of a vehicle, wherein the locking device is arranged in relation to the securing hook such that a release of the locking device leads to a release of the securing hook from an anchorage position. Applicant respectfully submits that Murphy fails to disclose or suggest at least this feature of claim 1.

Murphy discloses a locking quick disconnect device 10 which utilizes a locking member 13 and a cam arrangement 15 (see col. 3, lines 5-7 and Fig. 4). The cam arrangement 15 includes an annular housing member 18, an annular cam member 19 and a rod member 21 (see col. 3, lines 28-38). The cam arrangement 15 also includes cam followers 27a and 27b which engage opposed cam tracks 28a and 28b, respectively, in the annular cam member 19 (see col. 3, lines 51-58).

Each of the cam tracks 28a and 28b has a release position 29a and 29b and a lock position 30a and 30b (see col. 3, lines 64-65). As shown in Fig. 4 of Murphy, when the cam followers 27a and 27b are in the release positions 29a and 29b, a rod member 21 is retracted and disengages from an aperture 17 of the locking member 13 (see col. 4, lines 25-30). When the rod member disengages from the aperture 17, a tooling attachment 14 is disconnected from a boom 12 and is free to be removed (see col. 4, lines 30-33).

Conversely, as shown in Fig. 5 of Murphy, when the cam followers 27a and 27b are in the lock positions 30a and 30b, the rod member 21 is extended so as to engage the aperture 17 of the locking member 13 (see col. 4, lines 34-38). When the rod member 21 engages the aperture 17, the tooling attachment is securely connected to the boom 12 and is not free to be removed (see col. 4, lines 38-40).

In the Office Action, the Examiner alleges that the cam arrangement 15 corresponds to a “locking device” as claimed and that the locking member 13 corresponds to a “securing hook” as claimed (see Office Action at page 7). Applicant respectfully disagrees.

In particular, as is evident from the foregoing description, while the cam arrangement 15 is provided with a rod member 21 that is able to selectively engage the locking member 13 so as to lock a tooling attachment 14, Applicant respectfully submits that Murphy does not in any way disclose or suggest that the cam arrangement 15 and locking member 13 are arranged such that a release of the cam arrangement 15 leads to a release of the locking member 13 from an anchorage position.

In view of the foregoing, Applicant submits that the Murphy fails to disclose, suggest or otherwise render obvious that a release of a locking device leads to a release of a securing hook from an anchorage position, as recited in claim 1. Accordingly, Applicant submits that claim 1 is patentable over the cited prior art, an indication of which is kindly requested.

If the Examiner disagrees and believes that a release of the cam arrangement 15 leads to a release of the locking member 13 from an anchorage position, Applicant kindly requests that the Examiner provide a detailed explanation regarding such a position.

Claims 4 and 7 depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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